

The program uses 88 full-time nurses to collect data on all major surgery in the VA, which is transmitted to the program database in Chicago. The "very rich database" contains more than 500,000 cases, he relates, and generates annually a detailed report for each surgical service at the VA.

The program has published more than 17 publications about the NSQIP data and, within the coming year the program will be accessed through the Internet.

VHA had certain advantages as it implemented the outcome assessment program, he explains. First, the agency's uniform clinical and administrative database and software program—the Decentralized Hospital Computer Program, now known as VISTA—has permitted the NSQIP to access a consistent surgical scheduling module and operating room log in every VAMC to identify all operations performed in operating rooms throughout the country and to centralize the data so that the surgical nurse reviewers enter uniform data.

However, the NSQIP risk models and outcomes may have a few limitations, he cautions, because they may not be generalizable to populations dissimilar to veterans. Further, to reduce the data collection burden for the nurse reviewers, operation- and subspecialty-specific patient risk factors are not collected for non-cardiac surgery.

A final limitation, Dr. Khuri notes, is that the outcomes measured in the NSQIP currently are restricted to the adverse occurrences of postsurgical mortality and morbidity, and length of stay.

"There is a lot of interest now, not just among the VA surgeons, but among the surgical community outside of VA," Dr. Khuri contends, especially with modern medicine's current emphasis on managed care and cost containment.

"VA has completely adopted this," Dr. Khuri proudly notes, and "it is leading the world in the use of risk-adjusted outcomes."

"We think that the NSQIP is providing models that are leading the way towards the qualification of quality of surgery and the ability to compare the quality of care at various institutions using risk adjusted outcomes," Dr. Khuri declares.

Results of the National VA Surgical Risk Study were published as to lead three articles in the October 1997 issue of the *Journal of the American College of Surgeons*, and a full description of the NSQIP will be published in the upcoming October issue of the *Annals of Surgery*.

TRIBUTE TO BILL SHIELDS FOR HIS DISTINGUISHED SERVICE TO THE CONGRESS AND THE NATION

Mr. KENNEDY. Mr. President, it is a privilege to pay tribute to Bill Shields of the Department of Defense, who is retiring after two decades of impressive service to the Nation. He is an outstanding attorney whose intellectual skills and dedication have helped to maintain and improve our country's military.

Bill is a native of Buffalo, New York. He received his BA and JD degrees from the University of Buffalo, and a L.L.M. from the National Law Center at George Washington University.

Bill then served in a number of legal positions in the Department of Defense, including assistant in charge of a legal office in Florida, counsel for an air station in Maine, and international law attorney in Japan.

I first met Bill in 1987, when he joined my staff as a Congressional Fellow with the Senate Committee on Labor and Human Resources. As Chairman of that Committee I was extremely impressed with Bill's work on the Polygraph Protection Act and the Minimum Wage Act. He spent endless hours researching these issues, drafting the statutory language, and preparing witnesses and Senators for hearings. His efforts were indispensable in obtaining enactment of those two critical pieces of legislation.

After leaving the Committee, Bill served as Deputy Assistant for Civil Affairs and as Deputy Director of the Appellate Government Division in the Department of the Navy, and excelled in both assignments.

In 1993, he became Legislative Counsel in the Secretary of the Navy's Office of Legislative Affairs. In that position, he worked closely with us on the Senate Armed Services Committee on key issues such as acquisition reform, the A-12 aircraft contract termination, and the Seawolf submarine.

In 1994, Bill was appointed as Counsel and Special Assistant for Legislative Affairs in the Office of the Secretary of Defense. In that position, he has been deeply involved in issues such as research and development, test and evaluation, acquisition policy, major weapons systems, and intelligence. Bill was primary liaison with Congress for the Under Secretary of Defense for Acquisition and Technology, the Director of Defense Research and Engineering, the Director of Test Systems Engineering and Evaluation and the Director of the Defense Advanced Research Projects Agency.

In this capacity, Bill worked with Senators and staff on a daily basis to ensure the effective use of scarce defense resources during a period of major defense restructuring. He was responsible for overseeing the authorization of \$67 billion of the annual DOD budget for such projects as the F/A-18, F-22 and Joint Strike Fighter aircraft, the New Attack Submarine, the Commanche helicopter, numerous medical research projects and the Technology Reinvestment Program. On all of these issues, Bill's leadership, intelligence, and integrity have contributed significantly to the readiness and ability of our troops in the field.

Congress and the nation owe a debt of gratitude to Bill Shields. His skillful leadership will continue to have a lasting impact on our national security for years to come. It has been an honor to be associated with this exceptional public servant. His distinguished service will genuinely be missed, both in the Pentagon and in Congress.

All of us who know Bill are grateful for his leadership and his friendship. We wish him every success in his new position as General Counsel for the American College of Radiology. We know that his wife Maryann, and his three children, Andrew, Molly and Brian, are proud of him as he reaches

this special milestone, and all of us in Congress are proud of him too.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, October 7, 1998, the federal debt stood at \$5,533,657,715,092.27 (Five trillion, five hundred thirty-three billion, six hundred fifty-seven million, seven hundred fifteen thousand, ninety-two dollars and twenty-seven cents).

One year ago, October 7, 1997, the federal debt stood at \$5,413,433,000,000 (Five trillion, four hundred thirteen billion, four hundred thirty-three million).

Five years ago, October 7, 1993, the federal debt stood at \$4,399,633,000,000 (Four trillion, three hundred ninety-nine billion, six hundred thirty-three million).

Ten years ago, October 7, 1988, the federal debt stood at \$2,617,036,000,000 (Two trillion, six hundred seventeen billion, thirty-six million).

Fifteen years ago, October 7, 1983, the federal debt stood at \$1,384,688,000,000 (One trillion, three hundred eighty-four billion, six hundred eighty-eight million) which reflects a debt increase of more than \$4 trillion—\$4,148,969,715,092.27 (Four trillion, one hundred forty-eight billion, nine hundred sixty-nine million, seven hundred fifteen thousand, ninety-two dollars and twenty-seven cents) during the past 15 years.

HONESTY IN SWEEPSTAKES

Mr. CAMPBELL. Mr. President, today I want to take a few moments to let my colleagues in the Senate and House of Representatives know about the progress we have made in promoting Honesty in Sweepstakes during the 105th Congress.

Over the past month, the Honesty in Sweepstakes Act of 1998, S. 2141, made excellent progress as it was refined and polished. These refinements reflect the valuable input I received from witness testimony and my fellow Senators during a Governmental Affairs Subcommittee hearing on S. 2141. The newest Honesty in Sweepstakes language also reflects the results of numerous productive discussions and negotiations with interested parties, including the Postal Service, the industry, the AARP and consumer protection groups.

I want to thank my colleagues, Senator THOMPSON and Senator COCHRAN, who as the respective Chairmen of the Governmental Affairs Committee and the International Security, Proliferation and Federal Services Subcommittee, have been helpful and gracious in their efforts to help me move this sweepstakes reform legislation during the 105th Congress. I also want to thank my good friend, Senator COLLINS, who cosponsored my original Honesty in Sweepstakes bill and provided valuable input that is reflected in the new language I am talking about today.

This revised Honesty in Sweepstakes legislation would go a long way toward protecting our nation's seniors and other vulnerable consumers from misleading and deceptive sweepstakes promotions. This is something we should do this year to protect consumers. I urge my colleagues to pass this legislation before the 105th Congress concludes.

For my colleagues' reference, I ask unanimous consent that this new Honesty in Sweepstakes language be printed in the RECORD.

There being no objection, the language was ordered to be printed in the RECORD, as follows:

S.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. HONESTY IN SWEEPSTAKES ACT OF 1998.

(a) **SHORT TITLE.**—This Act may be cited as the "Honest in Sweepstakes Act of 1998".

(b) **UNMAILABLE MATTER.**—Section 3001 of title 39, United States Code, is amended by—

(1) redesignating subsections (j) and (k) as subsections (l) and (m), respectively; and
(2) inserting after subsection (i) the following:

“(j)(1) Matter otherwise legally acceptable in the mails that—

“(A) constitutes a solicitation or offer in connection with the sales promotion for a product or service (including any sweepstakes) that includes the chance or opportunity to win anything of value; and
“(B) contains words or symbols that suggest that—

“(i) the recipient has or will receive anything of value if that recipient has in fact not won that thing of value; or
“(ii) the recipient is likely to receive anything of value if statistically the recipient is not likely to receive anything of value.

shall not be carried or delivered by mail, and may be disposed of as the Postal Service directs, unless such matter bears the notice described in paragraph (2).

“(2) (A) The notice referred to in paragraph (1) is the following notice:

“(i) This is a game of chance (or sweepstakes, if applicable). You have not automatically won. Your chances of winning are (inserting corresponding mathematical probability for each prize shown). No purchase is required either to win a prize or enhance your chances of winning a prize; or a notice to the same effect in words which the Postal Service may prescribe; or
“(ii) a standardized Postal Service designed warning label to the same effect as the Postal Service may prescribe.

“(B) The notice described in subparagraph (A) shall be in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations that the Postal Service shall prescribe and be prominently displayed on the first page of the enclosed printed material and on any other pages enclosed.

“(C) If the matter described in paragraph (1) is an envelope, the face of the envelope shall bear the notice described in subparagraph (A).

“(D) If the matter described in paragraph (1) is an order entry device, the face of the order entry device shall bear the following notice:

“This is a game of chance (or sweepstakes, if applicable). No purchase is required either to win a prize or enhance your chances of winning a prize; or a notice to the same effect in words which the Postal Service may prescribe.”

“(k) Matter otherwise legally acceptable in the mails that constitutes a solicitation or offer in connection with the sales promotion for a product or service that uses any matter resembling a negotiable instrument shall not be carried or delivered by mail, and may be disposed of as the Postal Service directs, unless such matter bears on the face of the negotiable instrument in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe the following notice: ‘This is not a check (or negotiable instrument). This has no cash value.’, or a notice to the same effect in words which the Postal Service may prescribe.”

(c) **TECHNICAL AMENDMENT.**—Section 3005(a) of title 39, United States Code, is amended by—

(1) striking “or” after “(h).” both places it appears; and

(2) inserting “. (j). or (k)” after “(i)”.

(d) **PENALTIES.**—

(1) **IN GENERAL.**—Section 3012 of title 39, United States Code, is amended—

(A) by redesignating subsections (b), (c), and (d), as subsections (c), (d), and (e), respectively;

(B) by inserting after subsection (a) the following:

“(b) Any person who, through use of the mail, sends any matter which is nonmailable under sections 3001 (a) through (k), 3014, or 2015 of this title, shall be liable to the United States for a civil penalty in accordance with regulations the Postal Service shall prescribe. The civil penalty shall not exceed \$50,000 for each mailing of less than 50,000 pieces; \$100,000 for each mailing of 50,000 to 100,000 pieces; with an additional \$10,000 for each additional 10,000 pieces above 100,000, not to exceed \$2,000,000.”

(C) in subsection (c)(1) and (2), as redesignated, by inserting after “of section (a)” the following: “or subsection (b).”; and

(D) in subsection (d), as redesignated, by striking “Treasury of the United States” and inserting “Postal Service Fund established by section 2003 of title title”.

(2) **ALLOCATION OF FUNDS.**—It is the sense of Congress that civil penalties collected through the enforcement of the amendment made by paragraph (1) should be allocated by the Postal Service to increase consumer awareness of misleading solicitations received through the mail, including releasing an annual listing of the top 10 offenders of the Honesty in sweepstakes Act of 1998.

(e) **NO PREEMPTION.**—Nothing in this Act shall preempt any State law that regulates advertising or sales promotions or goods and services that includes the chance or opportunity to win anything of value.

Ms. COLLINS. Mr. President, I want to take this opportunity to commend Senator CAMPBELL for his efforts to protect consumers from con artists who try to cheat Americans using deceptive mailings. I am pleased to join in support of his legislation.

Senator CAMPBELL's bill would require a disclosure on mailings to inform individuals that they have not automatically won a prize and that a purchase is not necessary to participate in a sweepstakes contest. New civil penalties could be imposed on violations of the provisions against sending deceptive mail.

Senator CAMPBELL has been a strong leader and forceful advocate for curtailing abuses by sweepstakes firms who send misleading mailings that suggest that people have won hundreds of

thousands, or even millions, of dollars. Such deceptive mailings have caused people across the country to buy unnecessary products or to send money in the hope of winning a large prize. One scam even prompted some individuals to fly to Florida thinking they had won the grand prize in a major sweepstakes.

Millions of Americans have received sweepstakes letters that use deceptive marketing ploys to encourage the purchase of magazines and other products. A common tactic is a promise of winnings printed in large type, such as: “You Were Declared One of Our Latest Sweepstakes Winners And You're About to Be Paid \$833,337 in Cash!” Of course, the recipient isn't really a winner, as the fine print said the money is won only “If you have and return the grand prize winning number in time.”

Another problem is what I call “government look-alike mailings,” which look deceptively like mailings from Federal agencies. An example of such a deceptive mailing was sent to be by a woman from Machiasport, Maine. The letter was marked “Urgent Delivery, A Special Notification of Cash Currently Being Held by the U.S. Government is ready for shipment to you.” A postcard asks the consumer to send \$9.97 to learn how to receive this cash. Of course, this was not a legitimate mailing from the Federal Government, but simply a ploy used by an unscrupulous individual to trick an unsuspecting consumer into sending money.

The experience of my constituents, as well as testimony presented by Senator CAMPBELL and others at the hearing chaired by our colleague, Senator COCHRAN, convinced me that Congress must pass strong legislation to stop sweepstakes fraud and deceptive mailings.

As Chairman of the Permanent Subcommittee on Investigations, I have focused our agenda on a number of consumer frauds, and I will be working with Senator COCHRAN to further examine the issue of deceptive mailings in the coming months. I commend Senator CAMPBELL for his leadership and look forward to working with him on this issue next year.

PROSTATE CANCER RESEARCH

Mr. COVERDELL. Mr. President, I rise today to express my support for prostate cancer research, and to thank Senator STEVENS and my other colleagues for their leadership on this important issue. While I am pleased with the strides this Congress has made in funding research at the National Institutes of Health (NIH), I share the concern that the allocation of NIH funds may be done in a manner disproportionate to a disease's severity and occurrence. I understand that prostate cancer research is one of those areas. Without discounting the NIH's other meritorious pursuits, I nevertheless wish to offer my support for assuring a larger allocation of NIH funding to prostate cancer research. It is my hope